



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDRE SHORTER,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendant.

ORDER

09 Civ. 5225 (PAC) (RLE)

RONALD L. ELLIS, United States Magistrate Judge:

The Court having considered the Parties request to reschedule the March 2, 2010 settlement conference,

IT IS HEREBY ORDERED that a settlement conference before the Court **SHALL** be held on **February 9, 2010, at 2:30 p.m.** Prior to the conference, each party shall mail an ex parte letter labeled for "Settlement Purposes Only" to the Chambers of Ronald L. Ellis. The letter shall: (a) describe concisely the issues in dispute; (b) cite the applicable authority in support of the party's position; and (c) describe the status of settlement negotiations including offers and demands.

All counsel must be present. Plaintiff's counsel is responsible for confirming with each defendant's counsel that all necessary participants are aware of this conference. Unless excused by the Court, each party, together with counsel, must appear in person for the conference. If a party is not prepared to go forward with settlement discussions, written notice to the Court is required prior to the conference.

No request for adjournment will be considered unless made at least **THREE BUSINESS DAYS** before the scheduled conference and only after the parties have consulted with each other.

Direct inquiries to Michael Brantley, 212-805-0242.

SO ORDERED this 2nd day of February 2010
New York, New York

**The Honorable Ronald L. Ellis
United States Magistrate Judge**